UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,217	08/02/2005	Takashi Yamazaki	064446-0015	9488

20277 7590 02/28/2008

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
DONDERO, WILLIAM E	
ART UNIT	PAPER NUMBER
3654	
MAIL DATE	DELIVERY MODE
02/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/544,217	YAMAZAKI ET AL.	
	Examiner	Art Unit	
	WILLIAM E. DONDERO	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-6,8 and 9* is/are pending in the application.

4a) Of the above claim(s) *4* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,6,8 and 9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 December 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 5-6, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikegami et al. (US-4015785) in view of Sasaki et al. (US-5558296). Regarding Claim 1, Ikegami et al. disclose an apparatus for winding a wire comprising an annular guide 10 for guiding the wire, the guide has an inner peripheral surface 10a whose diameter gradually increases (as shown by the angled portion in Figure 6) in a direction away from a take-up bobbin 1, and movably positioned to cover one of a plurality of collars 5 of the take-up bobbin for the wire, and having an engagement portion (space between angled part and part parallel to bobbin collar as shown by dashed line) for preventing the wire from spring out of the bobbin (Figure 6). Ikegami et al. is silent about the annular guide having a notch. However, Sasaki et al. discloses an annular guide 24 with a notch 24a for guiding a wire onto a take-up bobbin 12 (Figures 1, 6, 8, 10; Column 8, Lines 29-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to add the notch of Sasaki et al. to the annular guide of Ikegami et al. to guide the wire onto the bobbin as taught by Sasaki et al (Column 8, Lines 29-32). Regarding Claim 3, Ikegami et al. disclose the annular guide is disposed so that it is moveable (by actuator 13) in an axial direction of the bobbin

(Figures 1 and 6). Regarding Claim 5, Ikegami et al. disclose the apparatus comprises a wire positioning device 9 for guiding the cut terminal portion of the wire (Figure 6). Regarding Claim 6, Ikegami et al. disclose the wire positioning device comprises a guide rod (vertical portion of 9) for moving the wire and a guide plate (horizontal portion of 9) for preventing the spring of the wire (Figure 6).

With respect to Claim 8-9, the method described in these claims would inherently result from the use of the annular guide apparatus of Ikegami et al. in view of Sasaki et al. as advanced above.

Response to Arguments

With respect to Applicant's arguments starting on page 6, line 4 to page 7, line 5, Applicant argues Ikegami et al. discloses the inner peripheral surface of the annular guide has a constant diameter and does not disclose the inner peripheral surface with a diameter that gradually increases. Applicant's arguments have been fully considered but they are not persuasive. As shown in Figure 6 of Ikegami et al. the annular guide 10 has an angled portion causing the diameter of the inner peripheral surface to gradually increase.

With respect to Applicant's arguments on page 7, line 6 to page 7, line 19, Applicant argues Sasaki et al. do not cure the deficiencies of Ikegami et al. in that Sasaki et al. do not disclose an inner peripheral surface with a gradually increasing diameter. Applicant's arguments have been fully considered but they are not persuasive. However, as noted above Ikegami et al. disclose this feature and therefore, Sasaki et al. does not need to disclose it.

With respect to Applicant's arguments on page 7, line 20 to page 7, line 21, Applicant argues Sasaki et al. do not disclose an engagement portion. Applicant's arguments have been fully considered but they are not persuasive. As stated in the rejection above Ikegami et al. disclose this feature in Figure 6 in the space between the angled part of the guide and the part of the guide parallel to the bobbin in which the end becomes entrapped as shown by the dashed line.

With respect to Applicant's arguments starting on page 8, line 1 to page 8, line 23, Applicant argues there is no suggestion to modify Ikegami et al. with Sasaki et al. and neither Ikegami et al. nor Sasaki et al. individually or combined do not disclose or suggest the inner peripheral surface whose diameter gradually increases in a direction away from the bobbin. Applicant's arguments have been fully considered but they are not persuasive. Regarding a suggestion to make the combination, Sasaki et al. teaches the notch is for guiding the strand to the bobbin and therefore provides a suggestion for adding the notch to the guide of Ikegami et al. Regarding neither Ikegami et al. nor Sasaki et al. teaching or suggesting an inner peripheral surface of the guide gradually increasing in a direction away from the bobbin, as noted above Figure 6 of Ikegami et al. discloses this feature in the angled portion of the guide 10.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM E. DONDERO whose telephone number is (571)272-5590. The examiner can normally be reached on Monday through Friday 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. E. D./
Examiner, Art Unit 3654
/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3654